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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 3RD DAY OF APRIL 1998

BEFORE

THE HON'BLE MR.JUSTICE A.J.SADASHIVA

WRIT PETITION No. 11213/1998

BETWEEN:

Timappa s/o Vatti Gouda,  
Age about 71 yrs., agriculturist,  
r/o Talgod, Honavar Tq., U.K.Dist., .. Petitioner

(By Sri P.M.Jalisatgi, Adv.,)

AND:

1. The Committee constituted for  
Regularisation of Unauthorised  
Occupation of Lands, Honavar Tq.,  
Honavar, U.K.Dist., rep by its  
Chairman.
2. The Tahsildar, Honavar Tq.,  
Honavar, U.K.Dist., .. Respondents

(By Sri K.Nagaraja, HCGP)

This Writ Petition filed under Articles 226 and 227 of the Constitution of India, praying to direct the respondents to consider the application of the petitioner made in application No.50 in respect of Sy.No.70A, extent 3-0-0 of Talgod Village, Honavar Tq., as per Annex.B on 10.9.91 and received by the respondents on 19.9.91 and etc.,

This Writ Petition coming on for preliminary hearing this day, the Court made the following :-

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## O R D E R

Sri.K.Nagaraja, the learned High Court Government Pleader, is directed to take notice for respondents.

2. Though this petition is listed for preliminary hearing, the same is heard on merits and disposed of by this order, with the consent of the learned Counsel appearing on both the sides.

3. The complaint of the petitioner against the respondents, particularly against the second respondent, is one of inaction against the application filed by him in the year 1991 in Form No.50 under Rule 108C of the Karnataka Land Revenue Rules, 1966 (hereinafter called "the Rules").

4. Where an application is filed before a statutory authority under the statutory provisions, such statutory authorities are bound by law to consider and dispose of such applications within the period prescribed if there is any or within a reasonable time where no period is prescribed. From the scheme of Rule 108D of the Rules, such application should be disposed of expeditiously at any rate within a

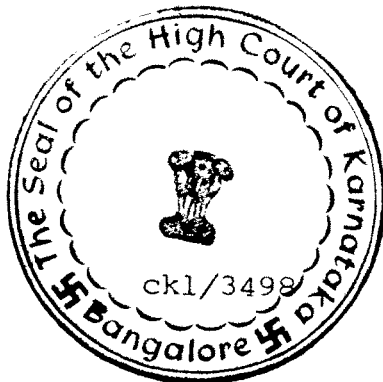
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maximum period of one year. The petitioner complains that his application has remained undisposed of even after the expiry of 7 years. No reasonable cause is shown by the respondents for their inaction.

5. In the result, this petition is disposed of with a direction to the second respondent to place the application of the petitioner before the committee or the additional committee as the case may be for consideration and disposal in accordance with Rule 108D of the Rules within 6 months from the date of receipt of this order.

6. In the circumstances of the case, there is no order as to costs.

7. Sri.K.Nagaraja, the learned HCGP, is permitted to file memo of appearance within four weeks.



Sd/-  
JUDGE